

FILED  
CLERK

11:54 am, Feb 08, 2019

U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
CHRISTINA STAIB,

Plaintiff,

-against-

NANCY A. BERRYHILL,  
Acting Commissioner of Social Security

Defendants.  
-----X

MEMORANDUM OF  
DECISION & ORDER  
2:15-cv-06775 (ADS) (ARL)

**APPEARANCES:**

**Jeffrey D. Delott, Esq.**  
*Counsel for the Plaintiff*  
366 North Broadway Suite 410k-3  
Jericho, NY 11753

**United States Attorneys Office**  
**Eastern District Of New York**  
271 Cadman Plaza East  
Brooklyn, NY 11201

By: Candace Scott Appleton, Esq., Assistant United States Attorney,

**SPATT, District Judge:**

On August 2, 2017, the Plaintiff filed a motion for attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 ("EAJA").

On September 26, 2018, the Court referred the motion to United States Magistrate Judge Arlene R. Lindsay for a Report and Recommendation as to whether the motion should be granted, and if so, what the award should be.

On December 4, 2018, Judge Lindsay issued a Report and Recommendation ("R&R") that Plaintiff be awarded \$9,660.00 in attorneys' fees and \$623.72 in costs, for a total amount of \$10,283.72. Judge Lindsay electronically served a copy of the R&R on the parties.

It has been more than fourteen days since the service of the R&R, and the parties have not filed objections.

As such, pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, this Court has reviewed the R&R for clear error, and finding none, now concurs in both its reasoning and its result. *See Coburn v. P.N. Fin.*, No. 13-CV-1006 (ADS) (SIL), 2015 WL 520346, at \*1 (E.D.N.Y. Feb. 9, 2015) (reviewing Report and Recommendation without objections for clear error).

Accordingly, the R&R is adopted in its entirety. The Plaintiff is awarded attorneys' fees and costs in the amount explained in the R&R.

**SO ORDERED.**

Dated: Central Islip, New York

February 8, 2019

/s/ Arthur D. Spatt

ARTHUR D. SPATT

United States District Judge